

## Denetsosie Law Office

Warren Denetsosie Post Office Box 2544 Window Rock, AZ 86515 Phone: (520) 871-2514 Fax: (520) 871-2045

Licensed in Arizona and the Navuyo watton e-mail: denetsosie@prodigy.net Located 1 mile west of Hwy. 264 & Route 12

E-01824A-00-0504

May 31, 2001

Arizona Corporation Commission

DOCKETED

JUN 06 2001

VIA REGULAR MAIL

Arizona Corporation Commission ATTENTION: Filing Clerk, Utilities Division 1200 West Washington Street Phoenix, Arizona 85007

DOCKETED BY

RE:

In the Matter of the Joint Application of Navajo Tribal Utility Authority and Continental Divide Electric Cooperative, Inc.'s Application for permission to transfer its electric transmission and distribution assets in the State of Arizona to the Navajo Tribal Utility Authority

Dear Utilities Division Clerk:

Enclosed for filing are the original and ten copies of a Certificate of Mailing of Public Notice of Hearing and the original and ten copies of a Certificate of Public Notice of Hearing.

Please call if you have any questions.

Sincerely,

Warren Denetsosie

Warren Servit

**Enclosures** 

### BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

IN THE MATTER OF THE JOINT	) DOCKET NO. E-01824A-00-0504
APPLICATION BETWEEN CONTINENTAL	)
DIVIDE ELECTRIC COOPERATIVE, INC. AND	)
THE NAVAJO TRIBAL UTILITY AUTHORITY	)
FOR THE APPROVAL OF THE SALE OF	)
ELECTRIC UTILITY PROPERTIES AND	)
TRANSFER OF CERTIFICATE OF	)
CONVENIENCE AND NECESSITY	)
	)

### CERTIFICATE OF PUBLIC NOTICE OF HEARING

Applicant Continental Divide Electric Cooperative, Inc., through its undersigned counsel, files Certificate of Public Notice of Hearing in this matter.

The Affidavit of Duane Beyal, Managing Editor of the Navajo Times, is attached as proof of publication.

Respectfully submitted,

Warren M. Denetsosie, Esq.

### AFFIDAVIT OF PUBLICATION

I, Duane A. Beyal, Managing Editor of the Navajo Times, a legal newspaper published weekly at Window Rock, Navajo Nation, Arizona, do hereby swear that a legal notice:

Public Notice of the Hearing of Continential Divide

Public Notice of the Hearing of Continential Divide Electric

was published in said Navajo Times on the following date(s): May 3, 2001

and that said notice is attached to this Affidavit and is a true and exact copy of said notice as published.

Duane A. Beyal

Managing Editor

STATE OF ARIZONA

COUNTY OF APACHE:)

SUBSCRIBED AND SWORN TO before me this

day o

2001.

Notary Public

My Commission Expires:

5208712045

85258-3330, from 8:00 a.m. until 5:00 p.m., Monday through Friday, is accordance with Instructions to Bidders, upon depositing the sum of Fifty Dollars (\$50.00) per set to guarantee return of each set of Documents. The entire deposit will be refunded upon return of the

Documents in good condition.
Subcontractors may purchase sets of drawings and specifications.

by contacting the Architect.
Each Bid shall be accompani by a Certified Check, Cashings Check or Bid Bond in the amount of ten (10%) percent of the flid, made payable to the Kayenta Community School, Inc. Sich Check or Bid Bond will be given as: a guarantee that Bidder will enter into Contract, if awarded to him, and provide a satisfactory Performance and Payment Bond. and shall be declared forfeited as Liquidated Damages If the successful Bidder refuses to enter into the said Contract after being requested to do so by the Kayenta Community School, Inc. Such Check or Bid Bond will be returned to the respective unsuccessful Bidders upon award of the Cordract and to the successful Bidder on execution and delivery of satisfac-tory one hundred (100%) percent Surety Company Performance and

Payment Bonds.
The work to be performed pursuant to this Invitation for Bid will be funded in part by grants from federal egencies; therefore, any and all contracts awarded relative to this invitation for bid shall contain provisions required by Federal, and Navajo Law and Ordinances to include, but not be flm-Ited to those required by the Dávis Bacon Act (U.S.C. 76(A) / Prevail-Bacon Act (U.S.C. 76(A) / Frevailing Wage), the Navajo Preference and Employment Act, The Navajo Business Preference Act and 43 C.F.R., 12.76, amendments thereto and statutes referenced therein.

Kayenta Community School, Inc., encourages local Navajo, In-dian, minority and women's firms and business enterprises to sub-mit bids under this invitation for bid and further affirms its commitments to use said local Navaio, Indian, minority and women's firms and business enterprises when possible and as may be required by applicable law. Except for the above noted conditions, all bidders will receive consideration without regard to race, color, set religion, sex. or national origin

Contracts will be awarded to the lowest responsible and responsive Bidder whose Bid conforms in all matenal respects to the requirements and criteria set forth in this invitation to Bid. The selection ontaria are specified in the instructions to Bidders. Navajo erea businese preference.

The Owner reserves the right to reject any or all bids, to waive informatities or irregularities in the bidding, and to withhold the award for any sound, documented reason the Owner determines.

Mr. Kermard Smellcanyon, Project Manager, Kayenta Community School, Inc., Post Office Box 188, 1000 Main Street, Kayenta, Arizona 86033. To be Published In The NAVAJO TIMES April 26 and May 3, 2001.

IN THE PEACEMAKIN NAVAJO NATION . JUDICIAL DISTRICT CHINLE, ARIZONA
In the Matter of Transfer of:
RE: HOMESITE LEASE District 10: legued to: Joan Dick, C#114-29 and George B. Dick, C#68, \$0, DOD: 05/05/96;

(Oeceased)
No..CH-PM-051-01
LEGAL NOTICE
To all Heirs, Claimants and other

# PUBLIC NOTICE OF THE **HEARING OF** CONTINENTAL **DIVIDE ELECTRIC** COOPERATIVE, INC. FOR PERMISSION TO TRANSFER ITS ELECTRIC TRANSMISSION AND DISTRIBUTION ASSETS IN THE STATE OF **ARIZONA TO THE** NAVAJO TRIBAL UTILIT **AUTHORITY**

On July 14, 2000, Continental Divide Electric Cooperative (CDEC), in Docket No. E-01824A-00-0504, filed a joint application for the sale of its electric transmission and distribution systems in the State of Arizona to the Navajo Tribal Utility Authority (NTUA).

The Arizona Corporation Commission will hold a hearing on this matter commencing on June 4, 2001, at 9:00 a.m. at the Commission's offices, 1200 West Washington Street, Phoenix, Anzona. Public comments will be taken on the first THE RESERVE OF THE PROPERTY OF day of the hearing.

The law provides for an open public hearing in this proceeding. Intervention shall be permitted to any person entitled by law to intervene and having a direct and substantial interest in the matter. Persons desiring to intervene must file a written motion to intervene with the Commission, which motion should be sent to the Applicants or their counsel and to all parties of record, and which, at the minimum, shall contain the following:

1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made, if different than the intervenor.

2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Applicants, a shareholder of Applicants, a competitor, etc.):

3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before May 25, 2001. The granting of intervention, among other things, entitles a party to present swom evidence at hearing and to cross-examine other witnesses. However, failure to Intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

The Commission does not discriminate on the basis of disability in admission to its public meetings Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting Shelly Hood, ADA Coordinator, voice phone number 602/542-3931, E-mail shood@cc.state.az.us. Request should be made as early as possible to allow time to arrange the accommodation.

Motions to intervene must be filed with the Arizona Corporation Commission at 1200 West Washington Street, Phoenix, AZ 85007. A copy of the motion must also be mailed to the following individuals: Louis Denetsosie, Esq., P.O. Box 2544, Window Rock, AZ 86515; Dennis Francish, Esq., 5400 Lomas, N.E., Albuquerque, N.M. 87110. 

To be Published in The NAVAJO TIMES May 3, 2001.

86033-0337, 520-697-2009 stsosie@kayenta.k12.az.us. Equal Opportunity/Navajo/Vetera

ENGINEERS

TDII is a successful electro Laupp, Az. We are hiring for neering and tech positions tech degree & exp. in high vo hible electronics.

MANUFACTURING TEST ENGINE SMT TE

Submit resume, salary regm HC, Box E, Winslow, A mbegay@toohdineh.com Attn: Mary, Navajo Pref/EE

### NOTICE OF INTE UNAUTHORIZED

On March 29, 2001, Bureau cials impounded the following I 451, Hopi Partitioned Lands.

PALAMINO STUD DO -N DUNN GELDING BAY STUD

This impoundment was in ac cedures in 25 CFR Part 168.1

These animals are redeema of ownership and payment of in appropriate fees as prescribe and 25 CFR 168.16.

if not redeemed, these anim lic Auction, at Valley Livestor Arizona. The sales will be co Wednesday after publication of costs for newspaper will be a is sent to the publisher. To be Published in The NAVAJI

### REQUEST FOR P

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2300	FISC	AL YEAR	2001 -
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AZ12-89-2		29 HO	·
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NM15-62-1		18 HQ	
1150	TOTAL:	207 HO	

Attention is called to the fact that t qualified Indian organizations, Indian-c and contract will be awarded in accorand 1000,52(d)(1)(ii). Each interested f ablish their qualifications as an inc

General services will consist of site re s and specifications, preparation of administration and inspection of many requirements. Copies of pro-differitom can be obtained from: Mr. M. Department Manager, NHA - Construc-tor, 1579, Ft. Deflance, Arizona 86504

Proposale will be received until 3:00 at the above address. Telefaxed propo NHA reserves the right to reject any informalities whenever such rejection ( est of the Navajo Housing Authority.
To be Published in The NAVAJO TIME

### BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
Chairman
JIM IRVIN
Commissioner
MARC SPITZER
Commissioner

IN THE MATTER OF THE JOINT	)	DOCKET NO. E-01824A-00-0504
APPLICATION BETWEEN CONTINENTAL	)	
DIVIDE ELECTRIC COOPERATIVE, INC. AND	)	
THE NAVAJO TRIBAL UTILITY AUTHORITY	)	
FOR THE APPROVAL OF THE SALE OF	)	
ELECTRIC UTILITY PROPERTIES AND	)	
TRANSFER OF CERTIFICATE OF	)	
CONVENIENCE AND NECESSITY	)	
	)	

### CERTIFICATE OF MAILING OF PUBLIC NOTICE OF HEARING

Applicant Continental Divide Electric Cooperative, Inc., through its undersigned counsel, files Certificate of Mailing of Public Notice of Hearing in this matter.

The Affidavit of Richard Shirley, Assistant Manager of Continental Divide Electric Cooperative, Inc., is attached as proof of mailing of public notice of hearing.

Respectfully submitted,

Warren M. Denetsosie, Esq.

### BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A MUNDELL,
Chairman
JIM IRVIN
Commissioner
MARC SPITZER

Commissioner

Docket No. E-01824A-00-0504

In the Matter of the Application for Approval of the Sale of Assets and for Cancellation and Transfer of Certificate of Convenience and Necessity

Continental Divide Electric Cooperative, Inc.

Applicant.

State of New Mexico )
) ss.
County of Cibola )

### AFFIDAVIT OF MAILING

Richard Shirley, being first duly sworn upon his oath deposes and states:

- 1. My name is Richard Shirley. I am the Assistant Manager of Continental Divide Electric Cooperative, Inc., (hereinafter called "CDEC"), the Applicant whose address is P.O. Box 1087, Grants, New Mexico 87020.
- 2. I hereby certify that I, together with other trusted and competent employees of CDEC, caused the mailing by depositing in the U.S. Mail, first class, postage pre-paid, this 4th day of May, 2001 the:

PUBLIC NOTICE OF THE HEARING OF CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC. FOR PERMISSION TO TRANSFER ITS ELECTRIC TRANSMISSION AND DISTRIBUTION ASSETS IN THE STATE OF ARIZONA TO THE NAVAJO TRIBAL UTILITY AUTHORITY, DOCKET NO. E-01824A-00-0504

# ARIZONA TO THE NAVAJO TRIBAL UTILITY AUTHORITY, DOCKET NO. E-01824A-00-0504

Attached hereto as Exhibit A to the 1,550 consumer accounts of CDEC in the State of Arizona which accounts are shown on Exhibit B, consisting of five pages attached hereto and made a part hereof.

Further Asliant sayeth naught.

Richard Shirley

The foregoing instrument was subscribed sworn to and acknowledged before me this 30° day of May, 2001 by Richard Shirley, Assistant Manager of Continental Divide Electric Cooperative, Inc., Grants, New Mexico on behalf of said corporation.

Notary Public

My Commission Expires:

April 20th, 2005

# PUBLIC NOTICE OF THE HEARING OF CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC. FOR PERMISSION TO TRANSFER ITS ELECTRIC TRANSMISSION AND DISTRIBUTION ASSETS IN THE STATE OF ARIZONA TO THE NAVAJO TRIBAL UTILITY AUTHORITY

# **DOCKET NO. E-01824A-00-0504**

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- 1. The name, address, and telephone number of the proposed intervenor and of any party upon whom service of documents is to be made, if different than the intervenor.
- 2. A short statement of the proposed intervenor's interest in the proceeding (e.g., a customer of Applicants, a shareholder of Applicants, a competitor, etc.).
- 3. A statement certifying that a copy of the motion to intervene has been mailed to the Applicants or their counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before May 25, 2001. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. However, failure to intervene will not preclude any customer from appearing at the hearing and making a statement on such customer's own behalf.

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